

REMARKS

Claims 1, 4 – 8 and 10 – 23 are pending in the present application. Claims 1, 5, 6, 8, and 15 have been amended. New claims 21 – 23 have been added. Claims 2 – 3 and 9 have been cancelled without prejudice.

Claim 8 and 12 – 14 were rejected under 35 USC §102(b) as being anticipated by US Patent No. 5824397 (*Koops*) and Claims 1 – 7 and 8 – 14 were rejected under 35 USC §103(a) as being unpatentable over *Koops* in view of US Patent No. 6221453 (*Majumdar*). *Koops* alone or in combination with *Majumdar* does not teach or suggest a tire label with all the limitations of independent claim 1 or claims 4 – 7, 21 or 23 which depend therefrom. Claim 1 recites:

A removable tire side wall label, comprising:
a label face stock having a film stiffness of between 20 to 80 mg (Gurley), and a thickness of between 0.001 and 0.008 inches;
the label face stock coated on a first side with a pressure sensitive rubber based adhesive having a thickness of between 0.001 and 0.004 inches, and
a barrier coating between the label face stock and the adhesive, wherein the label face stock is a conformable polyolefin or polypropylene film and the barrier coating is a polyester film.

Koops discloses a label that has a rubber layer, a protective covering of polyester and a barrier layer of a polyamide or metal. *Koops* does not teach or suggest a label with a label face stock made of a conformable polyolefin or polypropylene film and a barrier coating is a polyester film. *Majumdar* does not make up the deficiencies in *Koops*. The top layer in *Majumdar*, which corresponds to the label face sheet of the inventive label, is a barrier and is preferably a polyester, cellophane or polyvinyl acetate. See, e.g. *Majumdar* at Col. 3, lines 54 – 57 and Col. 4 at lines 1 – 4. Thus, *Koops* alone or in combination with *Majumdar* does not teach or suggest a label with all the limitations of claim 1 or claims 4 – 7 and 21 and 23 that depend therefrom are patentable.

Koops alone or in combination with *Majumdar* does not teach or suggest a tire label with all the limitations of independent claim 8 or claims 10 – 14 that depend therefrom. Claim 8 recites:

A tire label comprising:
a label face stock;
an adhesive coated on a first surface of the label face stock; and
a barrier coating between the label face stock and the adhesive wherein the label face stock is a conformable polyolefin or polypropylene film and the barrier coating is a polyester film.

Koops discloses a label that has a rubber layer, a protective covering of polyester and a barrier layer. *Koops* does not teach or suggest a label with a label face stock made of conformable polyolefin or polypropylene film and a barrier coating is a polyester film.

Majumdar does not make up the deficiencies in *Koops*. The top layer in *Majumdar*, which corresponds to the label face sheet of the inventive label, is a barrier and is preferably a polyester, cellophane or polyvinyl acetate. See, e.g. *Majumdar* at Col. 3, lines 54 – 57 and Col. 4 at lines 1 - 4. Thus, *Koops* alone or in combination with *Majumdar* does not teach or suggest a label with all the limitations of claim 8 or claims 10 – 14 and claim 22 that depend therefrom are patentable.

Claims 15 – 20 were rejected under 35 USC §103(a) as being anticipated by *Koops* in view of US Patent No. 6822582 (*Voeller*). *Voeller* was filed on February 25, 2003. The present application is a continuation in part of U.S. Application No. 10/391036 "Tire Identification Label" filed March 18, 2003 that claimed the benefit of U.S. Provisional Application 60/379965 filed May 10, 2002. Further, this application also claims the benefit of U.S. Provisional Patent Application "Tire Label Film with Integrated Barrier" filed July 19, 2002, serial number 60/397207. Thus, Applicant respectfully asserts that *Voeller* is not prior art. As discussed above, *Koops* alone or in combination with *Majumdar* does not teach or suggest a label as defined by the claims. Thus, Claims 15 – 20 are patentable over the prior art of record.